

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:

PATRICK LEE OLSON,
Debtor.

) Case No. 22-11556-mdc
)
) Chapter 7

**MOTION OF DEBTOR TO AVOID JUDICIAL LIEN OF MICHAEL WILEY ON REAL
PROPERTY PURSUANT TO 11 U.S.C. §522(f)(1)**

Debtor Patrick Lee Olson(“**Debtor**” or “**Movant**”), by and through his attorney, Sharon S. Masters, Esquire, hereby moves this Honorable Court to avoid judicial lien held by Michael Wiley (“**Wiley**”), to the extent that it impedes his homestead exemption under 11 U.S.C. §522(d)(1), pursuant to 11 U.S.C. §522(f)(1), and in support thereof alleges as follows:

1. The Debtor filed a Petition under Chapter 7 of the Bankruptcy Code in the Eastern District of Pennsylvania under the above-captioned case number on June 15, 2022. The Trustee in the case is Christine C. Shubert.

2. Movant is the owner of real property located at 101 Blossom Way, Pottstown, PA (Chester County) where he resides and has exempted his \$27,900,00 interest in the real property pursuant to 11 U.S.C. §522(d)(1) which is his homestead exemption.

3. Debtor’s real property is valued at \$695,000.00 per his Schedule A/B, filed with the Court, and Debtor has exempted (as amended) \$27,900.00 in the realty.

4. Michael Wiley is the holder of a judicial lien against the Debtor’s real property by virtue of a judgment entered against the Debtor in the Chester County Court of Common Pleas in case number 2019-06782-JD (transferred from the Montgomery County Court of Common Pleas), in the amount of \$3,678,122.58 that was assigned to Wiley by his company McGrath

Systems, Inc. for no consideration (and after being valued at \$1.00 and exempted for \$1.00 in Wiley's Chapter 7 bankruptcy case).

5. Wiley's judicial lien \$3,678,122.58 is subordinate to two senior mortgage liens, to wit, PHH Mortgage's first mortgage lien with a principal balance of \$576,190.94 per a loan modification agreement entered into February 3, 2023 after approval of this Honorable Court and NSA Federal Credit Union's second mortgage lien of \$15,239.41 with the combined mortgage liens totaling \$591,430.35 leaving \$103,569.65 in equity.

6. The Debtor's interest homestead exemption of \$27,900.00 is impaired and, therefore, the judicial lien of \$3,678,122.58 is reduced to \$75,669.65 and the remainder is hereby avoided under Section 522(f)(1) of the Bankruptcy Code.

WHEREFORE, Movant prays that this Honorable Court enter an Order avoiding and reducing the judicial lien of Michael Wiley to \$75,669.65 against the Debtor's residential real property located at 101 Blossom Way, Pottstown (Chester County), PA and grant such other relief as would be equitable and just.

Respectfully submitted,

Dated: June 6, 2023

/s/ Sharon S. Masters
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